

# CHILD SUPPORT COOPERATION REQUIREMENTS

## When Receiving Cash Assistance or Medicaid

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Cooperating with the Office of Recovery Services/Child Support Services (ORS/CSS) is important to your child(ren)'s future.

Some of the benefits may be:

- paternity (fatherhood) establishment;
- child support payments;
- medical support (health insurance) for your child(ren); and,
- future rights to social security or other private or government benefits for your child(ren).

Applicants and recipients of cash assistance and/or Medicaid must cooperate with ORS/CSS in establishing paternity, or in establishing, modifying, or enforcing a child support order.

### **WHAT ARE THE GENERAL ORS/CSS COOPERATION REQUIREMENTS?**

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You must cooperate with ORS/CSS in:

- identifying and locating the non-custodial parent or the alleged father ;
- establishing the paternity of a child born out of wedlock;
- obtaining support payments;
- obtaining any other payments or property due the custodial parent; and,
- obtaining an order for medical support.

### **WHAT ARE THE SPECIFIC ORS/CSS COOPERATION REQUIREMENTS FOR A PATERNITY CASE?**

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A paternity case is where the fatherhood of the child(ren) has not yet been legally established.

In addition to the general cooperation requirements, you must provide ORS/CSS with at least the full real name of the alleged father.

### **WHAT ARE THE SPECIFIC COOPERATION REQUIREMENTS FOR A NON-PATERNITY CASE?**

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A non-paternity case is where the fatherhood of the child(ren) is already established.

In addition to the general cooperation requirements, you must at least provide ORS/CSS with the following information:

- the non-custodial parent's name;
- the non-custodial parent's date of birth or social security number; and,
- the non-custodial parent's last known residential address.

### **WHAT ARE THE COOPERATION REQUIREMENTS IF I AM ONLY RECEIVING MEDICAID?**

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If you are only receiving Medicaid you must cooperate with ORS/CSS:

- in obtaining and enforcing an order for child and medical support; and,

- by giving any medical support paid to you by the non-custodial parent to ORS/CSS.

Note: After the child and medical support order is established, you may decline child support services. Medical support enforcement will continue.

### **ARE THERE EXCEPTIONS TO COOPERATING WITH ORS/CSS?**

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Under certain conditions **you may be granted an exception to the cooperation requirements.** You may contact the ORS/CSS office for more information. Some exceptions are listed below.

- You tell the Department of Workforce Services (DWS) or the Department of Health (DOH) that there is good cause or other exception for you not to cooperate with ORS/CSS and DWS/DOH approves your claim.
- ORS/CSS concludes you have provided all the information you know about the alleged father even though ORS/CSS is still not able to verify his existence.
- You provide evidence to ORS/CSS from an accredited lab that the child was conceived by artificial insemination.

## **WHAT WILL HAPPEN IF I DO NOT MEET THE COOPERATION REQUIREMENTS?**

ORS/CSS will give you a notice indicating you have not met the cooperation requirements.

ORS/CSS will tell the Department of Workforce Service (DWS) or the Department of Health (DOH) that you have not met the cooperation requirements.

The DWS or DOH worker will contact you about the options to resolve the situation. This process is to help you meet the ORS/CSS cooperation requirements.

If you still do not meet the cooperation requirements and do not qualify for an exception, you will be removed from your Medicaid card and/or your cash assistance case will be closed.

Note: If your children qualify for Medicaid after you have been removed from the Medicaid card, the children's Medicaid coverage will continue.

## **WHAT IF I DO NOT AGREE WITH THE ORS/CSS NON-COOPERATION DETERMINATION?**

If you do not agree with the non-cooperation determination, complete the "Written Request for Review, Non-Cooperation" form and return it to ORS/CSS within 15 days. This form is sent to you with the ORS/CSS decision. On the form you may request an administrative review or an adjudicative proceeding.

**Administrative review:** An ORS/CSS agent will review the case and any new information you provide. You will be notified of the decision. If you still do not agree with the agent's determination, you may request an adjudicative proceeding.

**Adjudicative Proceeding:** A Presiding Officer will conduct an independent review of the agent's determination and any information you provide. If you do not agree with the determination, you may request reconsideration of the decision within 20 days. Your request will either be granted or denied and you will be notified of the results.

At any time you may request a review of the decision by the District Court. You must notify ORS/CSS if you file a court action.

## **WHO DO I CONTACT IF I HAVE QUESTIONS?**

Contact your Regional ORS/CSS office if you have questions regarding cooperating with ORS/CSS for child support.

Salt Lake	536-8500 or 800-662-8525
Ogden	626-3475 or 800-336-2629
Provo	374-7299 or 800-255-8734
Richfield	896-1440 or 800-896-5461
St. George	674-3900 or 800-678-1732

## **Department of Human Services Office of Recovery Services Child Support Services**

### ***Child Support Cooperation Requirements When Receiving Cash Assistance Or Medicaid***

